

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

WALTER COLLINS

PLAINTIFF

V.

NO. 4:14-CV-00080-DMB-JMV

FRED'S STORES OF TENNESSEE, INC.

DEFENDANT

**ORDER DISMISSING CASE
BY REASON OF SETTLEMENT**

The Court has been advised that this action has been settled, or is in the process of being settled. Doc. #51. Therefore, it is unnecessary that the matter remain upon the calendar of the Court. Accordingly, **IT IS ORDERED** that: (1) this action is **DISMISSED WITHOUT PREJUDICE** and (2) Defendant's motion for summary judgment [23], Defendant's nine motions in limine [27-35], and Plaintiff's motion in limine [48] are **DENIED AS MOOT**.

The Court retains complete jurisdiction to vacate this Order and to reopen the action upon cause shown that the settlement has not been completed and that further litigation is necessary.¹

SO ORDERED, this 21st day of December, 2015.

/s/ Debra M. Brown
UNITED STATES DISTRICT JUDGE

¹ The Court is advised that an unconditional settlement was reached but that the case is to remain on the docket for the earlier of 60 days from today's date or the receipt of a final payment letter from Medicare. Upon the occurrence of either event, the parties should stipulate to dismissal with prejudice pursuant to Rule 41, or jointly move for dismissal with prejudice, in order to have the case fully and finally removed from the docket.